



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1651
)	
NILSSON, Dan)	Examiner: AFREMOVA, V.
)	
Serial No.: 10/658,376)	Washington, D.C.
)	
Filed: September 10, 2003)	May 2, 2005
)	
For: METABOLICALLY ENGINEERED)	Docket No.: NILSSON=6B
LACTIC ACID BACTERIA)	
AND THEIR USE)	Confirmation No.: 5425

ELECTION WITH TRAVERSE

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S i r :

1. In response to the restriction mailed March 15, 2005, Applicants elect group II (claims 6-11 and 27) with traverse.

The restriction is traversed on the ground that the claims of group II are allowable, and hence the processes of making (group I) and of use (groups IV and V) should be rejoined pursuant to MPEP 821.04, cited on page 4 of the office action.

The claims of groups IV (25) and V (26) are already dependent on claim 6 of elected group II. By separate paper, we have amended claims 1 and 6 so 1 is dependent on 6, rather than the other way around. Hence, claims of groups I, IV and V can be immediately rejoined if claim 1 is allowable.

2. In response to the Examiner's holding that the September 10, 2003 IDS is noncompliant, we submit revised copies of the lists of references, as follows:

- (1) we have added "10/658,376" to each page of the PTO-1449s and PTO-892s; and

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- (2) we have reformatted the PTO-892s so as to provide a left column, labeled, "E.I.", to receive the Examiner's initials.

Respectfully submitted,

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